

BURSOR & FISHER, P.A.

L. Timothy Fisher (State Bar No. 191626)

Emily A. Horne (State Bar No. 347723)

1990 North California Blvd., Suite 940

Walnut Creek, CA 94596

Telephone: (925) 300-4455

Facsimile: (925) 407-2700

E-mail: ltfisher@bursor.com

ehorne@bursor.com

Max S. Robert (*pro hac vice*)

1330 Avenue of the Americas, 32nd Floor

New York, NY 10019

Telephone: (646) 837-7150

Facsimile: (212) 989-9163

E-mail: mroberts@bursor.com

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

VISHAL SHAH and JAYDEN KIM,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

FANDOM, INC.,

Defendant.

Case No. 3:24-cv-01062-RFL

**PLAINTIFFS' NOTICE OF
SUPPLEMENTAL AUTHORITY**

Plaintiffs Vishal Shah and Jayden Kim (“Plaintiffs”) respectfully submit this Notice of Supplemental Authority regarding the pending Motion For Leave To File A Motion For Reconsideration, Or In The Alternative, Certifying Order For Interlocutory Appeal. *See* ECF Nos. 41, 43, 46. Plaintiffs bring to the Court’s attention to a December 12, 2024 Order by the Honorable Charles R. Breyer of the Northern District of California in *Mirmalek v. Los Angeles Times Communications LLC*, Case No. 3:24-cv-1797, ECF No. 30 (N.D. Cal. Dec. 12, 2024). The *Mirmalek* Order is attached hereto as **Exhibit 1**. Specifically, this decision is relevant to the parties’ respective arguments concerning whether there is a substantial ground for disagreement on the legal issue of whether third-party online trackers are pen registers.

Dated: December 16, 2024

Respectfully submitted,

BURSOR & FISHER, P.A.

By: /s/ L. Timothy Fisher
L. Timothy Fisher

L. Timothy Fisher (State Bar No. 191626)
Emily A. Horne (State Bar No. 347723)
1990 North California Blvd., Suite 940
Walnut Creek, CA 94596
Telephone: (925) 300-4455
Facsimile: (925) 407-2700
E-mail: ltfisher@bursor.com
ehorne@bursor.com

Max S. Robert (*pro hac vice*)
1330 Avenue of the Americas, 32nd Floor
New York, NY 10019
Telephone: (646) 837-7150
Facsimile: (212) 989-9163
E-mail: mroberts@bursor.com

Attorneys for Plaintiffs